

#### REMARKS/ARGUMENTS

Claims 25, 27, 29 and 38 have been canceled. Claims 20-27 and 29-39 are active in the case. Claims 20-24, 26, 30-37 and 39 are withdrawn from consideration. New Claims 40-46 are active in the case. Reconsideration is respectfully requested.

#### Claim Amendments

Claims 25, 27 and 38 have been amended, as new Claims 40, 42 and 45, by limiting grafting monomer B2 to one which contains an imidazole group as the nitrogenous heterocycle. New Claims 41, 43 and 46 are supported by page 4, lines 24-31 of the specification so that the claims do not introduce new matter into the case. Previously active Claim 29 is now new Claim 44. Entry of the amendment to the claims is respectfully requested.

#### Prior Art Rejection, 35 USC 102

Claim 38 stands rejected based on 35 USC 102(b) as anticipated by Abel et al, U.S. Patent 4,705,525. This ground of rejection is respectfully traversed.

The Abel et al patent discloses water-soluble or water-dispersible graft polymers, wherein the main chain of the polymers is a polyalkylene glycol whose terminal positions are ester groups that are formed by reaction with a long chain fatty acid. Grafted thereon in the form of side chains are ethylenically unsaturated monomers which in some embodiments (col 1, lines 5-53) are monomers that contain hydrophilic groups as well as nitrogen-containing vinyl compounds. More specifically the reference at column 2, lines 9-11 mentions 5- or 6-membered heterocyclic compounds such as N-vinylpyrrolidone and vinyl pyridine. However, there is no teaching or suggestion of the graft copolymer of the presently active claims in which the main chain has grafted thereto at least two different monomers B1

and B2, wherein each of the two monomers contains at least one nitrogenous heterocyclic group, with the proviso, as now claimed, that monomer B2 contains an imidazole group.

Although the reference at column 2, lines 12 to 16 describes that the polymerizable monomers may be used singly or in combination for the grafting reaction, but then mentions as preferred monomers acrylic acid and acrylamide, neither of which contains a nitrogenous heterocyclic group. (The examples of the patent disclose only acrylic acid and acrylamide as grafting monomers.) Accordingly, the Abel et al patent does not anticipate the invention as claimed, because it does not teach or suggest two grafting monomers, each of which contains at least one nitrogenous heterocyclic group, with the proviso that one of the monomers contains an imidazole group. Withdrawal of the anticipatory ground of rejection of the claims is respectfully requested.

Claims 25 and 27 stand rejected based on 35 USC 102(b) or 35 USC 103(a) as anticipated or rendered obvious by Abel et al, U.S. Patent 4,705,525. This ground of rejection is respectfully traversed.

The rejection of Claims 25 and 27 is traversed for the same reasons as discussed above in the traversal of the rejection of Claim 38. The patent simply does not teach the graft copolymer of the present invention. Withdrawal of the stated grounds of rejection is respectfully requested.

Claims 27 and 29 stand rejected based on 35 USC 102(b) or 35 USC 103(a) as anticipated or rendered obvious by Bockh et al, U.S. Patent 6,165,969. This ground of rejection is respectfully traversed.

The Bockh et al patent, although teaching a polymer that contains at least 5 mol % of vinylimidazole units which is useful as color-fixing and color transfer-inhibiting additives for laundry after-treatment, does not teach or suggest a graft copolymer where the grafted units introduce nitrogenous heterocyclic groups into the graft copolymer. Rather, the active

Application No. 10/537,268  
Reply to Office Action of December 19, 2007

polymer of the patent is a copolymer of the N-vinylimidazoles having formulas (I) to (III), optionally with at least one other copolymerizable, ethylenically unsaturated monomer. Thus, the reference is less relevant to the present invention than the disclosure of Abel et al.

Withdrawal of the stated ground of rejection is respectfully requested.

It is now believed that the application is in proper condition for consideration on its merits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



---

Frederick D. Vastine, Ph.D.  
Registration No. 27,013

Customer Number  
**22850**  
Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)